

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

NEWTOK VILLAGE, and NEWTOK  
VILLAGE COUNCIL

- Petitioners,

vs.

ANDY T. PATRICK, JOSEPH TOMMY,  
and STANLEY TOM,

- Defendants.

Case No. 4:15-cv-00009-RRB

**MEMORANDUM IN SUPPORT OF**  
**APPLICATION FOR WRIT OF ASSISTANCE**  
**[FRCP 70]**

The Court has previously issued a judgment in this matter, which directed the Defendants to turn over all records and equipment of Newtok Village to the Newtok Village Council within 10 days of service of the order.<sup>1</sup> The judgment was served upon the Defendants on November 5, 2015.<sup>2</sup> As a result, the Defendants had until November 15, to turn over the Newtok Village records and equipment in their possession. As indicated in the attached affidavit of Tom John, the Defendants have failed to do so.<sup>3</sup>

FRCP 70 allows the Court to issue a writ of assistance in order to obtain compliance with this Court's order from a disobedient party. In this case, Newtok is within the service area of the Alaska State Troopers Bethel Detachment, which provides law enforcement services to Newtok, Alaska. The Troopers are in the best position to provide assistance in the enforcement of the Court's order during one of their trips to the village.

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- 1 Docket 16, p. 6  
2 Docket 17  
3 See attached affidavit.

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*Memo: Writ of Assistance*

Therefore, the NEWTOK VILLAGE, and NEWTOK VILLAGE COUNCIL respectfully request that the Court issue the accompanying writ of assistance to obtain compliance with this Court judgment in this case.

Respectfully submitted this 3<sup>rd</sup> day of December, 2015



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